

the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 318. PARTICIPATION BY DEPARTMENT OF DEFENSE IN POLLUTANT BANKING AND WATER QUALITY TRADING PROGRAMS.

(a) **AUTHORITY TO PARTICIPATE.**—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program approved in accordance with the Water Quality Trading Policy dated January 13, 2003, set forth by the Office of Water of the Environmental Protection Agency, or any successor administrative guidance or regulation.

(b) **TREATMENT OF PAYMENTS.**—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.

(c) **DISCHARGE OF POLLUTANTS DEFINED.**—In this section, the term “discharge of pollutants” has the meaning given that term in section 502(12) of the Federal Water Pollution Control Act (33 U.S.C. 1362(12)) (commonly referred to as the “Clean Water Act”).

SA 4051. Mr. CRUZ (for himself and Mr. MARSHALL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 596. ANNUAL REPORT ON RELIGIOUS EXEMPTIONS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the granting of religious exemptions to members of the Armed Forces during the previous fiscal year.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following information, disaggregated by religion and by military service:

(1) The number of requests for religious exemptions that were received by the Department of Defense.

(2) The number of such requested exemptions that were granted.

(3) The number of such requested exemptions that were denied.

SA 4052. Mr. CRUZ (for himself, Mr. MARSHALL, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to au-

thorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII, insert the following:

SEC. 7. MEDICAL EXEMPTION FOR COVID-19 VACCINE REQUIREMENT FOR MEMBERS OF THE ARMED FORCES WITH NATURAL IMMUNITY.

The Secretary of Defense shall offer to any member of the Armed Forces who has previously contracted COVID-19 and has natural immunity a medical exemption for any requirement that the member receive a vaccine for COVID-19.

SA 4053. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 12. STATUS OF TAIWAN UNDER THE ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3(b)(2), by inserting “the Government of Taiwan,” before “or the Government of New Zealand”;

(2) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b)(1), 36(b)(2), 36(b)(6), 36(c)(2)(A), 36(c)(5), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting “Taiwan,” before “or New Zealand” each place it appears; and

(3) in sections 21(h)(1)(A) and 21(h)(2), by inserting “Taiwan,” before “or Israel” each place it appears.

SA 4054. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ADDITIONAL PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS.

(a) **IN GENERAL.**—Section 4871 of title 10, United States Code, is amended—

(1) in subsection (a), by amending paragraph (1) to read as follows:

“(1) procure any covered material melted or produced in any covered nation or by any covered company, or any end item that contains a covered material manufactured in any covered nation or by any covered company; or”;

(2) in subsection (d)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (2) through (3), respectively; and

(B) by inserting before paragraph (2), as redesignated, the following:

“(1) **COVERED COMPANY.**—The term ‘covered company’ means—

“(A) any company or joint venture registered outside the United States—

“(i) that is partially or fully owned by any state-owned entity from a covered nation; or

“(ii) 10 percent of the ownership of which is by 1 or more private investors from any covered nation;

“(B) any company or joint venture registered inside the United States—

“(i) is partially or fully owned by a state-owned entity from a covered nation; or

“(ii) after the date of the enactment of this Act, has entered into an agreement or a condition with the Committee on Foreign Investment in the United States under subsection (1)(3)(A) of section 4565 of title 50, United States Code, that does not specifically refer to this section and provide that the company shall be eligible to supply covered products under this section; or

“(C) any other company that the President determines to be a threat to the security of supply of any covered material.”.

(b) **REGULATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate such regulations as may be necessary to carry out this section.

SA 4055. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ADDITIONAL FUNDING FOR STEEL PERFORMANCE INITIATIVE.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$10,000,000, with the amount of the increase to be available for Defense Wide RDT&E/DLA (PE 0603680S).

(b) **AVAILABILITY.**—The amount available under paragraph (1) shall be available to support the Steel Performance Initiative.

SA 4056. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. IMPROVEMENT OF EXISTING FACILITIES AND SERVICES FOR MILITARY WORKING DOGS.

(a) **IN GENERAL.**—The Secretary of Defense shall improve existing facilities and services for military working dogs.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense \$20,000,000 to carry out subsection (a).

SA 4057. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 728. IMPROVEMENTS TO PROCESSES TO REDUCE FINANCIAL HARM CAUSED TO CIVILIANS FOR CARE PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) CLARIFICATION OF FEE WAIVER PROCESS.—Section 1079b of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

“(b) WAIVER OF FEES.—Each commander (or director, as applicable) of a military medical treatment facility shall issue a waiver for a fee that would otherwise be charged under the procedures implemented under subsection (a) to a civilian provided medical care at the facility who is not a covered beneficiary if the provision of such care enhances the knowledge, skills, and abilities of health care providers, as determined by the respective commander or director.”; and

(2) by redesignating subsection (c) as subsection (d).

(b) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—

(1) IN GENERAL.—Such section is further amended by inserting after subsection (b), as amended by subsection (a), the following:

“(c) MODIFIED PAYMENT PLAN FOR CERTAIN CIVILIANS.—(1)(A) If a civilian specified in subsection (a) is covered by a third-party payer, insurance, medical service, or health plan (as those terms are defined in section 1095(h) of this title and in this subsection referred to as a ‘Payer’) at the time care covered by this section is provided, the civilian is only responsible to pay for any services not covered by their Payer, copays, coinsurance, deductibles, or nominal fees.

“(B)(i) The Secretary of Defense may bill only the Payer for care provided to a civilian described in subparagraph (A).

“(ii) Payment received by the Secretary from the Payer of a civilian for care covered by this section that is provided to the civilian shall be considered payment in full for such care.

“(2) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1), is underinsured, or has a remaining balance and is at risk of financial harm, the Secretary of Defense shall reduce each fee that would otherwise be charged to the civilian under this section according to a sliding fee discount program.

“(3) If a civilian specified in subsection (a) does not meet the criteria under paragraph (1) or (2), the Secretary of Defense shall implement an additional catastrophic waiver to prevent financial harm.

“(4) The modified payment plan under this subsection may not be administered by a Federal agency other than the Department of Defense.”.

(2) EFFECTIVE DATE FOR PAYMENT PLAN.—The Secretary of Defense shall implement

the payment plan established under subsection (c) of section 1079b of title 10, United States Code, as added by paragraph (1), not later than 180 days after the date of the enactment of this Act.

SA 4058. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2836. MODIFICATION OF INFRASTRUCTURE TO EXPEDITE THE DEPLOYMENT BY RAIL OF HEAVY ARMORED DIVISIONS AND ASSOCIATED EQUIPMENT FROM INSTALLATIONS OF THE ARMY TO NAVAL PORTS.

(a) IN GENERAL.—The Secretary of Defense shall modify or improve the infrastructure necessary to expedite the deployment by rail of heavy armored divisions and associated equipment from installations of the Army in the United States to naval ports in support of a large-scale conflict with a near-peer adversary to ensure that installations of the Army that house armored divisions have a rail facility with multiple spurs to allow for the expedited deployment of troops and equipment.

(b) USE OF AMOUNTS.—The Secretary may expend not more than \$150,000,000 to carry out the requirement under subsection (a).

SA 4059. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. AUTHORIZATION OF AMOUNTS TO THE DEPARTMENT OF DEFENSE TO BE USED TO CONDUCT ANNUAL AND PERIODIC INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE TRAINING ALONG THE LAND AND WATER BORDERS OF THE UNITED STATES.

(a) AUTHORIZATION OF AMOUNTS.—

(1) JOINT TASK FORCE NORTH.—The amount authorized to be appropriated to the Department of Defense for fiscal year 2022 for operation and maintenance for the Joint Task Force North is hereby increased by \$25,000,000.

(2) JOINT INTERAGENCY TASK FORCE SOUTH.—The amount authorized to be appropriated to the Department of Defense for fiscal year 2022 for operation and maintenance for the Joint Interagency Task Force South is hereby increased by \$25,000,000.

(b) USE OF AMOUNTS.—

(1) IN GENERAL.—The amounts of the increases under paragraphs (1) and (2) of subsection (a) shall be used by aviation units from the Army, Navy, and Air Force to con-

duct annual and periodic intelligence, surveillance, and reconnaissance training along the land and water borders of the United States.

(2) USE OF CAMERA FEEDS.—In conducting training under paragraph (1), aviation units described in such paragraph shall provide the feed from any cameras or sensors used on the aircraft during the training to the Commissioner of U.S. Customs and Border Protection.

SA 4060. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF REAL ESTATE PURCHASES OR LEASES NEAR MILITARY INSTALLATIONS OR MILITARY AIRSPACE.

(a) INCLUSION IN DEFINITION OF COVERED TRANSACTION.—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “; and” and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iii) any transaction described in subparagraph (B)(vi) that is proposed, pending, or completed on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.”; and

(2) in subparagraph (B), by adding at the end the following:

“(vi) Notwithstanding clause (ii) or subparagraph (C), the purchase or lease by, or a concession to, a foreign person of private or public real estate—

“(I) that is located in the United States and within—

“(aa) 100 miles of a military installation (as defined in section 2801(c)(4) of title 10, United States Code); or

“(bb) 50 miles of—

“(AA) a military training route (as defined in section 183a(h) of title 10, United States Code);

“(BB) airspace designated as special use airspace under part 73 of title 14, Code of Federal Regulations (or a successor regulation), and managed by the Department of Defense;

“(CC) a controlled firing area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)) used by the Department of Defense; or

“(DD) a military operations area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)); and

“(II) if the foreign person is owned or controlled by, is acting for or on behalf of, or receives subsidies from—

“(aa) the Government of the Russian Federation;

“(bb) the Government of the People's Republic of China;

“(cc) the Government of the Islamic Republic of Iran; or

“(dd) the Government of the Democratic People's Republic of Korea.”.